

HARDIN, KUNDLA, McKEON,  
& POLETTO, P.A.  
110 William Street, 25<sup>th</sup> Floor  
New York, NY 10038  
(212) 571-0111

Attorneys for W.C. Bradley Co.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GEORGE PETERS, : 11 CV 3351 (JSR)

Plaintiff,

v.

W.C. BRADLEY CO.,

Defendant.

FILED  
U.S. DISTRICT COURT  
2011 JUL 29 PM 3:08  
S.D. OF N.Y.

**APPLICATION FOR PRO HAC VICE ADMISSION  
OF JAMES C. CLARK, JR**

**PLEASE TAKE NOTICE** that, upon the annexed Affirmation of Mark S. Kundla and Affidavit of James C. Clark, Jr., the undersigned will move this Court before the Hon. Jed S. Rakoff, U.S.D.J., at the United States Courthouse, Courtroom 14B, 500 Pearl Street, New York, New York, for an order pursuant to Local Civil Rule 1.3(c) granting admission pro hac vice to James C. Clark, Jr., so that he may represent W.C. Bradley Co. in the matter captioned above. In support of this motion, the undersigned states as follows:

1. I am a member of the law firm of Hardin, Kundla, McKeon & Poletto, P.A., 110 William Street, 25<sup>th</sup> Floor, New York, New York. I am a member in good standing of the Bar of

the State of New York and the United States District Court for the Southern District of New York. **(Exhibit "A")**.

2. This firm has been retained to represent W.C. Bradley Co. as local counsel in the matter captioned above.

3. James C. Clark, Jr. is a member of the firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C., 1111 Bay Ave., Synovus Center, Third Fl., Post Office Box 1199, Columbus, Georgia 31902-1199. Mr. Clark is a member in good standing of the Bar of the State of Georgia. There are no pending disciplinary proceedings against Mr. Clark in any State or Federal court. The Affidavit of Mr. Clark submitted in support of this application, together with a Certificate of Good Standing issued by the State of Georgia, is annexed hereto as **Exhibit "B"**.

4. There is no good cause to deny the admission of James C. Clark, Jr. to this Court pro hac vice. No party will be prejudiced in any way if James C. Clark, Jr. is admitted to this Court pro hac vice.

**WHEREFORE**, for all of the reasons set forth herein, I respectfully request that the application for pro hac vice admission of James C. Clark, Jr. be granted.

Dated: New York, New York  
June 29, 2011



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Mark S. Kundla, Esq.  
HARDIN, KUNDLA, MCKEON,  
& POLETTI, P.A.  
110 William Street, 25<sup>th</sup> Floor  
New York, NY 10038  
Telephone: (212) 571-0111  
Facsimile: (212) 571-1117

Attorneys for W.C. Bradley Co.

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& POLETTI, P.A.  
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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GEORGE PETERS,	:	11 CV 3351 (JSR)
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Plaintiff,	:	
	:	
v.	:	
	:	
W.C. BRADLEY CO.,	:	
	:	
Defendant.	:	
	:	
	:	
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**AFFIRMATION OF MARK S. KUNDLA IN SUPPORT OF APPLICATION FOR  
PRO HAC VICE ADMISSION OF JAMES C. CLARK, JR.**

Mark S. Kundla, an attorney duly admitted to practice law before the United States District Court, Southern District of New York and the Courts of the State of New York, affirms the following subject to penalties of perjury:

1. I am a member of the law firm of Hardin, Kundla, McKeon & Poletto, P.A., local counsel for Defendant W.C. Bradley Co. in this action. I make this Affirmation in Support of the Application for Pro Hac Vice Admission of James C. Clark, Jr. in connection with the above action.

2. I am a member in good standing of the Bar of the State of New York, and was admitted to practice law in 1990. I am also admitted to the Bar of the United States District Court for the Southern District of New York and am in good standing with this Court.

3. I have known Mr. Clark for several months. He is a member of the law firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C., and is a member in good standing of the Bar of the State of Georgia, the location of his principle place of business, having been admitted to practice in that jurisdiction in 1991. He has not been denied admission to, nor has he been disciplined by any Court.

4. Defendant W.C. Bradley Co., desires to have James C. Clark, Jr. of the law firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C., 1111 Bay Ave., Synovus Center, Third Fl., Post Office Box 1199, Columbus, Georgia 31902-1199, also represent them in this action.

5. Mr. Clark acts as Product Liability Counsel for Defendant W.C. Bradley Co., in other lawsuits involving similar claims. He has substantial familiarity with the Defendant W.C. Bradley and its products in general and with the factual and substantive issues relating to the above captioned matter in particular. As a result, he has specialized knowledge which is important and necessary to the effective representation of W.C. Bradley Co. in this action.

6. Mr. Clark, along with other lawyers in his firm, has experience in complex litigation involving propane and other petroleum based products. That experience has lead to particular expertise in products liability litigation concerning such claims as are present in this litigation.

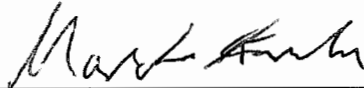
7. The Affidavit of James C. Clark, Jr. and certificate of good standing from the Supreme Court of the State of Georgia is annexed hereto as **Exhibit B**.

8. No party will be prejudiced in any way if James C. Clark, Jr. is admitted to the Bar of this Court pro hac vice.

9. No good cause exists to deny admission of James C. Clark, Jr.. pro hac vice admission.

**WHEREFORE**, it is respectfully requested that the application to admit James C. Clark, Jr. pro hac vice, to represent Defendant W.C. Bradley Co. in the above captioned matter, be granted.

Dated: New York, New York  
June 29, 2011



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Mark S. Kundla, Esq.  
HARDIN, KUNDLA, McKEON,  
& POLETTO, P.A.  
110 William Street, 25<sup>th</sup> Floor  
New York, NY 10038  
Telephone: (212) 571-0111  
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Attorneys for W.C. Bradley Co.

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Attorneys for W.C. Bradley Co.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GEORGE PETERS,	:	11 CV 3351 (JSR)
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
W.C. BRADLEY CO.,	:	
	:	
Defendant.	:	
	:	
	:	

**AFFIDAVIT OF JAMES C. CLARK, JR. IN SUPPORT OF  
APPLICATION FOR PRO HAC VICE ADMISSION**

James C. Clark, Jr., of full age, hereby certifies as follows:

1. I am an attorney-at-law associated with the firm of Page, Scrantom, Sprouse, Tucker & Ford, P.C. I am a member in good standing of the Bar of the State of Georgia.

2. I serve as Product Liability Counsel for W.C. Bradley Co. I have represented W.C. Bradley Co. in a variety of different actions including the above captioned matter. I was retained to represent W.C. Bradley Co. in the above captioned matter because of my familiarity with products liability cases in general and specifically with respect to those arising out of propane and other petroleum based products.

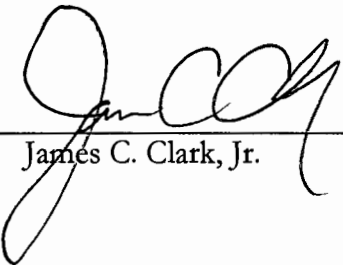
3. A Certificate of Good Standing issued by the State of Georgia is annexed hereto. No disciplinary proceedings are pending against me in any jurisdiction and no discipline has been previously imposed on me in any jurisdiction.

4. If admitted pro hac vice in these proceedings, I shall be bound by the Local Civil Rules of the United States District Court for the Southern District of New York.

5. This Certification is submitted in support of my application for admission pro hac vice in the matter captioned above.

I hereby certify that the above statements made by me are true. I am aware that if any of the above statements made by me are willfully false, I am subject to punishment.

Dated: Columbus, Georgia  
June 16, 2011

  
\_\_\_\_\_  
James C. Clark, Jr.



**Supreme Court  
State of Georgia**

STATE JUDICIAL BUILDING

**Atlanta 30334**

CAROL W. HUNSTEIN, CHIEF JUSTICE  
GEORGE H. CARLEY, PRESIDING JUSTICE  
ROBERT BENHAM  
HUGH P. THOMPSON  
P. HARRIS HINES  
HAROLD D. MELTON  
DAVID E. NAHMIAS  
JUSTICES

THERESE S. BARNES, CLERK  
JEAN RUSKELL, REPORTER

June 16, 2011

I hereby certify that James Clinton Clark Jr., Esq., was admitted on the 31<sup>st</sup> day of October, 1991, as a member of the bar of the Supreme Court of Georgia, the highest court of this State; and, since that date he has been and is now a member of this bar in good standing, as appears from the records and files in this office.

Witness my signature and the seal of this Court  
hereto affixed the day and year first above written.

*Therese S Barnes*, Clerk



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GEORGE PETERS, : 11 CV 3351 (JSR)

Plaintiff,

v.

W.C. BRADLEY CO.,

Defendant.

ORDER GRANTING APPLICATION  
FOR PRO HAC VICE ADMISSION

Upon the application of Mark S. Kundla, counsel for W.C. Bradley Co., dated June 16, 2011, for admission pro hac vice of James C. Clark, Jr. in the matter captioned above, and for good cause shown, it is hereby

**ORDERED** that James C. Clark, Jr. is admitted to this Court pro hac vice for the matter captioned above.

**IT IS FURTHER ORDERED** that said counsel shall be authorized to file papers electronically in the above-captioned proceedings upon the submission of the appropriate application for electronic case filing (ECF) registration to the Clerk of the Court.

Dated: New York, New York  
June \_\_\_\_ 2011

\_\_\_\_\_  
Jed S. Rakoff, United States District Judge

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**GEORGE PETERS**

**Plaintiff,**

**v.**

**USDC Case No.: 11 CV 3351 (JSR)**

**W.C. BRADLEY CO.,**

**Defendant.**

**AFFIDAVIT OF SERVICE**

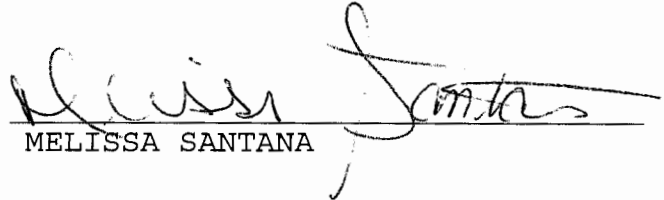
STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF NEW YORK    )

**MELISSA SANTANA**, being duly sworn, deposes and says:

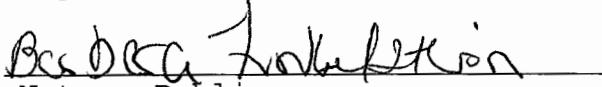
I am not a party to the action, am over eighteen (18) years of age, and reside in Bronx, New York. On June 28, 2011, I served a copy of Defendant's Application for Pro Hac Vice Admission of James Clark, Jr., Affirmation of Mark S. Kundla In Support of Application for Pro Hac Vice Admission, Affidavit of James C. Clark, Jr. In Support of Application for Pro Hac Vice Admission, Certificate of Good Standing, and Proposed Order Granting Application of Pro Hac Vice Admission on:

Anderson Kill & Olick, P.C.  
Attorneys for Plaintiff  
1252 Avenue of the Americas  
New York, New York 10020

at the address designated by said party for that purpose, by depositing a true copy of same enclosed in a postpaid properly addressed wrapper, under the exclusive care and custody of the United States Postal Service.

  
MELISSA SANTANA

Sworn to before me this 29th  
day of June, 2011

  
Notary Public

BARBARA FINKELSTEIN  
Notary Public, New York  
No. 01FI4753752  
Qualified in Queens County  
Commission Expires 12/31/13